

**FITCHBURG PLANNING BOARD MEETING MINUTES  
TUESDAY, FEBRUARY 19, 2008**

**MEMBERS PRESENT:** Paula Caron, Chair  
Mike DiPietro  
Mike Hurley  
Paul Fontaine, Jr.  
Nancy Maynard  
Elizabeth Slattery

**MEMBERS ABSENT:** John DiPasquale

**PLANNING OFFICE:** David Streb  
Mike O'Hara

**Call to Order**

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

**Communications**

Wind ordinance has been put into ordinance form by City Solicitor. Only significant change was that when the Board considers a waiver of setbacks from the wind tower, the requirement of obtaining a fall zone easement was made optional, not mandatory.

Memo rec'd from Planning Coordinator regarding possible rescission of the JCJ Fairway Homes Special Permit due to failure to comply with conditions. Discussion was deferred to later in meeting.

**Meeting Minutes**

Motion made & seconded to approve minutes of the January 22, 2008 meeting.

Vote unanimous to approve.

**ANR plans**

The Board reviewed and endorsed the following "ANR" plans:

**Mullane Construction, Fifth Mass. Tpk.**

Splitting off conforming 30,000 sq. ft. lot around dwelling at 618 Fifth Mass. Turnpike. Remainder (6.45 acre Parcel A) has 145 feet frontage. Parcel A is labeled "not a building lot unless made to conform to zoning requirements". Parcel A will be site of proposed subdivision to be submitted soon.

**Matson Homes, Inc. Parker Hill Road**

Adjustment of property line between 20 Parker Hill Road & adjacent dwelling (a rear lot under construction off Hartland Avenue) in order to conform to rear setback.

**Minor Site Plan Review - 280 Lunenburg St., Kang Suk Min**

*Voting members present: Caron, DiPietro, Fontaine, Hurley, Maynard, Slattery (6)*

*Action: approved*

Applicant Mr. Kang present. Board reviewed site plan by Bradford Engineering. Proposing to subdivide space into a Laundromat and 1,200 sq. ft. of retail space. Tenant of the retail space unknown at this time.

Ms. Caron proposed berms to better define edge of driveways to the site.

Ms. Caron asked about clothing drop box (Planet Earth) in front of site. It appears to be unkempt. Should be renovated or relocated.

Owner said he could put landscaping around the marquee sign.

Motion made & seconded to approve minor site plan subject to:

- restriping parking lot
- install berms at driveway entrance in conformance w/ DPW standards
- remove or relocate clothing drop box in front
- install landscaping around sign

Vote unanimous to approve site plan.

## **PUBLIC HEARINGS**

### **Site Plan Review - Hoover, 480 Water St., open-air fast-food restaurant & classic car shows**

*(continued from 1-22-08)*

*Voting members present: Caron, DiPietro, Fontaine, Hurley, Maynard, Slattery (6)*

*Action: approved*

Jack Hoover presented - showed the Board photographs of the work he's done so far with the property.

D. Streb mentioned the Twin Cities Rail Trail and the need to ensure that once the trail is developed that people can pass through property.

Public Comment:

David Clark, Ward 1 Councilor: Traffic can be bad there. It's a very congested area. He'd like to see a police officer on security during car shows. He'd also like to see the two Gardner police cruisers behind the building removed from the site.

Ms. Maynard suggested that if traffic becomes a problem during car shows, the applicant will arrange for a police detail.

Board said they would like the centerline of the access thru the parking lot marked to separate two-way traffic.

Mr. Hoover said he planned to repave the lot in 1-2 years.

Board wanted:

- landscaping around sign at a minimum.
- centerline stripe of access thru the rear of the property.
- a police detail upon request of the city during car shows.
- refurbish the hot dog stand.
- Planning Board review of site & parking situation on one year.

Motion made & seconded to approve site plan subject to these conditions.

Vote 5-0 in favor (Mr. Fontaine abstained.)

### **Definitive Subdivision Plan - Fisher Road, LLC, 22 lots, off Fisher Rd.**

*Voting members present: Caron, DiPietro, Fontaine, Hurley, Maynard, Slattery (6)*

*Action: continued to June 17.*

Chris Deloge presented plan. 30 acre site. Lunenburg town line is boundary of project. Unsure what to do with sliver on Lunenburg side - may give to abutters. Incorporating LID in drainage design. Similar lot layout to preliminary plan presented the Board last year.

He explained that due to concerns raised by neighborhood, they will submit a revised plan showing a flexible development. Each lot will be between 20,000 - 30,000 s.f. (under the req'd 30,000 s.f.) and frontage reduced from 175 feet to 100 feet.

Significant acreage will remain undisturbed. 10 ac. will be dedicated to open space. Unresolved who will own open space. Shifted roadway to get further away from abutter. Single stormwater detention area. Reducing from 22 to 20 lots.

Public Comment:

John Sulin, 861 Fisher Rd. If these streets & drainage facilities are turned over to the city, can the city maintain them? Also, they claim there won't be much blasting, but he had to blast for his house, just across the street,

Chris Deloge said no test pits have indicated the need for blasting.

Naomi Andrews, 940 Fisher Road - how much of a heads up can she get prior to blasting so she can take care of her horses?

Chris: typically abutters will get notification before blasting.

Devellis said he would make sure she got enough notice before blasting she can deal with her horses.

Nancy Lagasse - New West Townsend Road, Lunenburg said she didn't get a notice.

O'Hara - she is on list provided by Lunenburg Assessors office & notice was sent to that address.

Ms. Caron stated culvert in Fisher Road needs repair. Board may consider off-site improvements.

John Nikander, 511 Marshall Road -- When they built his house they had to blast all the way up the hill & that ledge runs all the way along the hill, so they'll have to blast.

Ms Caron - the pre-blast survey will look into any private wells in area.

Mr. Campbell - what kind of road patch after sewer work ?

Devellis: have discussed this with DPW - they've suggested infrared patching

Hunter Gelinas, Fisher Rd. - he did percs on his land next door and he didn't hit any ledge.

Joe Poznick, 840 Fisher Road - what is the city's assessment of the traffic situation? Fisher Rd. is narrower in winter and a school bus was stuck on Fisher Road for an hour recently.

Devellis said the traffic study showed that the Level of Service is OK.

Mr. Sulin questioned the #s for average daily traffic in the traffic study but was corrected.

M. O'Hara asked Board which they prefer -- conventional or the alternative cluster subdivision plan?

Ms. Caron & Mr. Fontaine preferred the alternative plan. A majority of the Board agreed.

Mr. DiPietro expressed concern about the lot sizes.

Ms. Caron explained "by right" subdivision vs. special permit and the Board's ability to place conditions on a special permit

Chris Deloge said he can have the drainage study & plan revised in time for review prior to the March 18<sup>th</sup> meeting.

Ms. Andrews asked about street lighting.

They'll show street light locations on the revised plans.

Looping water thru Roseland Drive? Would need easements from abutters. Will look into it.

Motion made & seconded to continue the public hearing on the conventional Definitive Subdivision Plan to the June meeting (June 17, 2008). Vote 6-0 to approve.

In the meantime, applicant will be submitting revised plan with new subdivision and special permit application for flexible (cluster) development

**Special Permit & Definitive Subdivision Plan - Neighborhood Development Trust, 21-lot Planned Unit Development - "Independence Estates", off Franklin Rd. & Constitution Dr.**

*Voting members present: Caron, DiPietro, Fontaine, Hurley, Maynard, Slattery (6)*

*Action: continued to March 18.*

Peter Bovenzi showed the Board a large concept plan previously presented at August meeting & pointed out the portion this project represents.

He had committed to providing a second means of egress to Franklin Road before the second phase of Chamberlain Hill condos (Constitution Drive) were occupied. This proposed road (Independence Drive) will provide that second access.

19 separate lots are proposed, all single-family, plus the existing house at 1089 Franklin Road that they're rehabbing. Will be all super insulated, way beyond Energy Star.

He has permission from the owner of property at Fifth Mass. Turnpike and Franklin Road (436 Fifth Mass. Tpk.) to remove stone wall & tree to make intersection safer. He'll do work as condition of this approval. Will start as soon as weather breaks. The new wall will be 2-3 feet high (like the wall on other side of road), and look like an old New England wall. Plan showing this proposed work passed around.

The common driveway shown on the plan will be eliminated.

The development will have private rubbish pick-up, will remain a private road. There will be a separate association from the Chamberlain Hill condos but there will be a relationship between the two.

He described the proposed extension of the steam line trail. He's proposing to set property aside for an extension of the trail thru his property.

Ms. Caron asked whether the road improvements to Franklin Road have been done.

Bovenzi said work is 75% done, they will be all done by end of June. 4-5 utility poles need to be moved by Verizon -- they've asked to have them moved and will pay for it. Drainage work further down Franklin Road past Bilotta Way still needs to be done & may be more extensive than originally planned.

He said they've installed a sidewalk from Depot St. up Franklin Street over and above what was approved. He's doing engineering for access drive from Depot to Reingold School which is turning into a much more complicated and costly issue.

In the long term he wants to provide access to recreation areas further south near Fifth Mass. Tpk., install a canoe launch on Saw Mill Pond

Public Comment:

Ernie Cadette: what about improvement to the hairpin turn on Franklin Rd?

He'll be cutting back on the ledge and is putting in drainage.

Janet Morrison, No. County Land Trust: Peter has asked NCLT to look at the open space possibilities and trail expansion. Expansion of steam line trail under RR tracks presents an engineering challenge, but doable. With canoe launch it is possible to travel by canoe under Route 2.

Kim Goodwin, Mountain Laurel Lane: how will this single-family project fit into the Oak Ridge expansion.

Ans: It doesn't -- he'll be submitting soon for a small addition to the Oak Ridge condos.

Mr. DePietro: asked what kind of lot frontages? In the 60-75 foot range.

Ms Caron: how many parking spaces? Answer: 2 per unit.

Jim Thibideau, lives at Chamberlain Hill, asked where project is relative to his condo.

Mike O'H discussed Water & Fire Dept. comments.

Motion made & seconded to continue hearing to March 18. Vote unanimous in favor.

## **OTHER BUSINESS**

### Benjamin Bldrs. - remaining subdivision bond

Motion made & seconded to Planning Board approved release of \$10,000 remaining per the settlement agreement last year.

Vote unanimous in favor.

### Fairway Homes - possible rescission of special permit

Motion made & seconded to hold hearing in March to consider whether the rescind approval of Special Permit 04-21 for failure to complete Special Permit condition regarding payment of design of roundabout.

Vote unanimous in favor.

Board asked if we had rec'd response to letter to Arden Mills regarding compliance with conditions. There had not been. Board asked to find out whether building commissioner can withhold building or occupancy permits until the moneys have been paid.

Ms. Maynard left meeting.

### Planning Board CDBG recommendations

Then Board asked several questions about various CDBG proposals.

Motion made (Mr. Fontaine) & seconded (Ms. Slattery) to approve CDBG recommendations as written in Planning Office memo

Meeting adjourned 10:00 p.m.

Next meeting: March 18, 2008

approved: 3-18-08